



**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE JESUS RODRIGUEZ,
aka "Gerardo Ramirez,"

Defendant.

Case No. CR 15-0456-FMO

ORDER OF DETENTION

I.

The Court conducted a detention hearing on February 16, 2016.

☒ On motion of the Government [18 U.S.C. § 3142(f)(1)] in a case allegedly involving a narcotics or controlled substance offense with maximum sentence of ten or more years.

☒ On motion by the Government or on the Court's own motion [18 U.S.C. § 3142(f)(2)] in a case allegedly involving a serious risk that the defendant will flee.

The Court concludes that the Government is entitled to a rebuttable presumption that no condition or combination of conditions will reasonably assure

1 the defendant's appearance as required and the safety of any person or the
2 community [18 U.S.C. § 3142(e)(2)].

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4 II.

5 The Court finds that no condition or combination of conditions will
6 reasonably assure: ☒ the appearance of the defendant as required.

7 ☒ the safety of any person or the community.
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9 III.

10 The Court has considered: (a) the nature and circumstances of the offense(s)
11 charged, including whether the offense is a crime of violence, a Federal crime of
12 terrorism, or involves a minor victim or a controlled substance, firearm, explosive,
13 or destructive device; (b) the weight of evidence against the defendant; (c) the
14 history and characteristics of the defendant; and (d) the nature and seriousness of
15 the danger to any person or the community. [18 U.S.C. § 3142(g)] The Court also
16 considered all the evidence adduced at the hearing, the arguments of counsel, and
17 the report and recommendation of the U.S. Pretrial Services Agency.

18 IV.

19 The Court bases its conclusions on the following:

20 As to risk of non-appearance:

- 21 ☒ Lack of bail resources and unverified background information
22 ☒ No legal immigration status
23 ☒ outstanding warrants
24 ☒ Unrebutted presumption [18 U.S.C. § 3142(e)(2)]
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As to danger to the community:

- ☒ Allegations in present charging document
- ☒ Prior Criminal history and arrest record, which includes failures to appear
- ☒ Defendant's current drug use
- ☒ Unrebutted presumption [18 U.S.C. § 3142(e)(2)]

V.

IT IS THEREFORE ORDERED that the defendant be detained until trial. The defendant will be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant will be afforded reasonable opportunity for private consultation with counsel. On order of a Court of the United States or on request of any attorney for the Government, the person in charge of the corrections facility in which defendant is confined will deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding. [18 U.S.C. § 3142(i)].

Dated: September 13, 2016

_____/s/_____
HON. ALKA SAGAR
UNITED STATES MAGISTRATE JUDGE